

Remarks/Arguments

This Paper is being filed in response to the Election/Restriction Requirement mailed December 19, 2003, setting a one-month shortened statutory period for response ending on January 19, 2004. However, since January 19, 2004 was a Federal Holiday, the period for response is extended to January 20, 2004. This Response is being filed such that no-extension of time is necessary.

In the Election/Restriction Requirement, the Examiner restricted the pending claims into two groups: Group-I, which corresponds to claims 1-3, 5, 7, 12, 14-17, 24-27, 33 and 49, and which are drawn to a chip scale package with a housing/window; and Group-II, which corresponds to claims 8-11, 18-23, 28-32, 50-62 and 64-68, and which are drawn to a chip scale package in a housing with an optical fiber/ferrule. ***In response, Applicants hereby elect the invention of Group-I.***

Having made an election, Applicants would now like to make a few points. First, Applicants note that claims 55-62 and 64-68 appear to be improperly classified into Group-II. Claim 55 is dependent from claim 34, which is dependent from independent claim 33. None of claims 33, 34 or 55 appear to recite a ferrule/fiber. Likewise, dependent claims 56-57 do not appear to recite a ferrule/fiber. Dependent claims 58 and 59 are each dependent from claim 1. None of claims 1, 58 or 59 appear to recite a ferrule/fiber. Likewise, dependent claims 60-61 do not appear to recite a ferrule/fiber. Independent claim 62 also does not appear to recite a ferrule/fiber, and neither do dependent claims 64-65. Likewise, independent claim 66 and dependent claim 67 do not appear to recite a ferrule/fiber. Finally, independent claim 68 does

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not appear to recite a ferrule/fiber. In view of the foregoing, it would appear that claims 55-62 and 64-68 were improperly classified into Group-II, which as the Examiner states, is drawn to a chip scale package in a housing with an optical fiber/ferrule (Emphasis Added). *As such, Applicants respectfully request that the Examiner re-classify claims 55-62 and 64-68 into elected Group-I.*

Second, Applicants note that the remaining claims in Group II (i.e. 8-11, 18-23, 28-32 and 50-54) are all dependent from independent claims classified into Group I. That is, claims 8-11 are indirectly dependent from claim 1, and claim 1 is classified as part of Group I. Claims 18-23 are indirectly dependent from claim 12, and claim 12 is classified as part of Group I. Claims 28-32 are indirectly dependent from claim 24, and claim 24 is classified as part of Group I. Finally, claims 50-54 are indirectly dependent from claim 33, and claim 33 is classified as part of Group I.

In view of the foregoing, it would appear that claims 1, 12, 24 and 33 are generic linking claims, and that upon allowance of one or more of the generic linking claim, the previously withdrawn claims (i.e. Group-II, claims 8-11, 18-23, 28-32 and 50-54) should be rejoined.

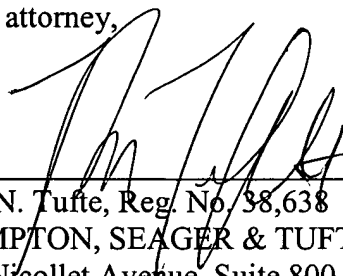
It is respectfully submitted that all pending claims 1-3, 5, 7-12, 14-62, and 64-65 are in condition for allowance. Issuance of a Notice of Allowance in due course is respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

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Respectfully submitted,

Klein L. Johnson

By his attorney,

A handwritten signature in black ink, appearing to read 'Brian N. Tufte', is written over a horizontal line.

Dated: January 20, 2004

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